

STATE OF TEXAS

JULY 8, 2019

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 8<sup>th</sup> day of July 2019, the Honorable Commissioners Court of Johnson County, Texas, met in Regular Session at the Johnson County Courthouse thereof, in the City of Cleburne, Johnson County, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same. The meeting was called to order at 9:00 A.M. with all members present, and following the Invocation led by Commissioner Woolley, Precinct #4, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on July 3, 2019 at 1:03 P.M., were considered:

**IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS**

Johnson County IT Director, Dan Milam, addressed the Court to introduce Ashley Palmer, the new GIS Addressing Coordinator, to the Commissioners Court.

County Judge, Roger Harmon welcomed and introduced the newly appointed 18th District Court Judge, Sydney Hewlett.

1. **PRESENTATION OF LENGTH OF SERVICE PINS TO COUNTY EMPLOYEES**

Employees of Johnson County were recognized for their service to Johnson County, and employees were given Service Pins, as attached to these Minutes.

**V. PUBLIC PARTICIPATION**

None.

**VI. PRECEDING BUSINESS**

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. June 24, 2019 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Minutes of the Commissioners Court for June 24, 2019.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve to pay bills as presented.

All voted aye; motion carried.

3. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONERS COURT

The Commissioners Court acknowledged the Receipt of the County Auditor's Reports to the Commissioners Court.

4. CONSIDERATION OF AWARD OF RFB #2019-909 – "TIRE RUBBER CATIONIC RAPID SET EMULSIFIED ASPHALT FOR SURFACE TREATMENT ON NEW CONSTRUCTION AND SEAL COATING ROADS" TO WRIGHT ASPHALT PRODUCTS CO.-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Award of RFB #2019-909 – "Tire Rubber Cationic Rapid Set Emulsified Asphalt for Surface Treatment on New Construction and Seal Coating Roads" to Wright Asphalt Products Co.-Purchasing Department.

All voted aye; motion carried.

5. CONSIDERATION OF ORDER #2019-33 – “RULES OF PROCEDURE, CONDUCT AND DECORUM AT MEETINGS OF THE JOHNSON COUNTY COMMISSIONERS COURT”-COUNTY JUDGE’S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve **Order #2019-33** – “Rules of Procedure, Conduct and Decorum at Meetings of the Johnson County Commissioners Court”-County Judge’s Office.

All voted aye; motion carried.

6. CONSIDERATION OF ORDER #2019-34 –“CORRECTED ORDER APPROVING PLAT” FOR RUSTIC MEADOWS, PHASE 2, BLOCK A; LOTS 22-44, BLOCK B; LOT 46, AND BLOCK F; LOTS 122-134, IN JOHNSON COUNTY, TEXAS, PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Woolley, made a motion to approve **Order #2019-34** – “Corrected Order Approving Plat” for **Rustic Meadows**, Phase 2, Block A; Lots 22-44, Block B; Lot 46, and Block F; Lots 122-134, in Johnson County, Texas, Precinct #2-Public Works Department.

All voted aye; motion carried.

7. CONSIDERATION OF ORDER #2019-35 –“ORDER APPROVING PLAT” FOR FINAL PLAT OF BRESHERS ADDITION, LOTS 1-2, BLOCK 1, IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve for filing purposes only, a plat of **Breshers Addition**, Lots 1-2, Block 1, in Johnson County, Texas, Precinct #4 and clarify that the filing of the plat which dedicates roads and streets to the public does not make those roads and streets county roads subject to county maintenance-Public Works Department.

All voted aye; motion carried.

8. CONSIDERATION OF ORDER #2019-36 –“ORDER APPROVING PLAT” FOR FINAL PLAT OF BLUE BIRD WOODS, LOTS 1-4, BLOCK 1, IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve for filing purposes only, a Plat of **Blue Bird Woods**, Lots 1-4, Block 1, in Johnson County, Texas, Precinct #4 and clarify that the filing of the plat which dedicates roads and streets to the public does not make those roads and streets county roads subject to county maintenance-Public Works Department.

All voted aye; motion carried.

Commissioner Howell, Precinct #2 addressed the Court to clarify his motion on Preceding Business #6, **Order #2019-34** –“Corrected Order Approving Plat” for Rustic Meadows. He stated that he did not read the order because they were not approving the plat, only the spelling correction of the street name.

**VII. UNFINISHED BUSINESS**

No Action.

**VIII. NEW BUSINESS**

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve to reject all bids for the renovation of Precinct 1, Building 2 because the bids were over budget.

All voted aye; motion carried.

2. CONSIDERATION OF DEBT SERVICE PAYMENT, CERTIFICATE OF OBLIGATION TAXABLE, SERIES 2015, DUE 08/15/2019, IN THE AMOUNT OF \$385,465.66-AUDITOR’S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Debt Service Payment, Certificate of Obligation Taxable, Series 2015, due 08/15/2019, in the Amount of \$385,465.66-Auditor’s Office.

All voted aye; motion carried.

3. CONSIDERATION OF TRANSFER OF FUNDS FROM THE INDIGENT DEFENSE FORMULA GRANT FUND 9380 TO THE GENERAL FUND FOR GRANT FUNDS RECEIVED AS REIMBURSEMENT FOR INDIGENT DEFENSE FOR FY2019 IN THE AMOUNT OF \$109,059.00, PLUS INTEREST EARNED-AUDITOR'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the transfer of Funds from the Indigent Defense Formula Grant Fund 9380 to the General Fund for Grant Funds Received as Reimbursement for Indigent Defense for FY2019 in the Amount of \$109,059.00, Plus Interest Earned-Auditor's Office.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT AND JOHNSON COUNTY FOR LOCAL ADDRESSING AND GIS SERVICES-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Interlocal Agreement between the North Central Texas Emergency Communications District and Johnson County for Local Addressing and GIS Services and to give the County Judge, Roger Harmon the authorization to sign-County Judge's Office.

Commissioner Stringer, Precinct #3 addressed the Court to clarify that by voting on this item, he has not voted twice. He stated he abstained from the vote with the North Central Texas Emergency Communications District, for which he is the Vice President of the Board, because his first loyalty is to the Citizens of Johnson County and not to the 911 Board.

All voted aye; motion carried.

5. CONSIDERATION OF PURCHASE OF VANGUARD RECORDS MANAGEMENT AND IMAGING SYSTEM FROM KOFIL PRESERVATION FOR THE COUNTY CLERK-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the purchase of Vanguard Records Management and Imaging System from Kofile Preservation for the County Clerk and to give the County Judge, Roger Harmon the authorization to sign with the understanding it is to be paid for in the coming year's budget-Purchasing Department.

Commissioner Woolley withdrew his motion.

Commissioner Stringer withdrew his second.

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the purchase of Vanguard Records Management and Imaging System from Kofile Preservation for the County Clerk, dependent on the availability of funds in the FY 2020 Budget, and to give the County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

7. CONSIDERATION OF TCDRS PLAN ASSESSMENT FOR PLAN YEAR 2020 WITH A RETIREMENT PLAN RATE OF 11.49%-PERSONNEL DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the TCDRS Plan Assessment for Plan Year 2020 with a Retirement Plan Rate of 11.49%-Personnel Department.

All voted aye; motion

County Judge, Roger Harmon stated for Court Record, that the motion was made by Commissioner Howell, Precinct #2, the second was made by Commissioner Stringer, Precinct #3, and the motion passed.

8. CONSIDERATION OF RENEWAL OF LEXISNEXIS SUBSCRIPTION FOR ONLINE LEGAL RESEARCH FOR COUNTY ATTORNEY'S OFFICE-COUNTY ATTORNEY

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the renewal of LexisNexis Subscription for Online Legal Research for County Attorney's Office and to give the County Judge, Roger Harmon the authorization to sign-County Attorney.

All voted aye; motion carried.

9. CONSIDERATION OF RENEWAL OF CONTRACT WITH THOMSON REUTERS FOR WESTLAW ONLINE LEGAL RESEARCH SERVICES-COUNTY ATTORNEY

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the renewal of Contract with Thomson Reuters for Westlaw Online Legal Research Services and to give the County Judge, Roger Harmon the authorization to sign-County Attorney.

All voted aye; motion carried.

10. CONSIDERATION FOR TWO (2) AGENTS TO ATTEND THE 2019 N.A.T.I.A. CONFERENCE IN KANSAS CITY, MISSOURI-S.T.O.P. SPECIAL CRIMES UNIT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve for Two (2) Agents to attend the 2019 N.A.T.I.A. Conference in Kansas City, Missouri-S.T.O.P. Special Crimes Unit.

All voted aye; motion carried.

11. CONSIDERATION OF TRANSFERRING BUDGET SURPLUS OF JOHNSON COUNTY SHERIFF ADMIN/PATROL FOR PETROLEUM PRODUCTS IN THE AMOUNT OF \$20,000.00 AND FOR SMALL TOOLS AND SUPPLIES IN THE AMOUNT OF \$1,000.00 FOR A TOTAL OF \$21,000.00-COUNTY JUDGE'S OFFICE

No Action.

12. CONSIDERATION OF COMPOSITION, DRAWING AND APPOINTMENT OF A SALARY GRIEVANCE COMMITTEE PURSUANT TO THE LOCAL GOVERNMENT CODE, CHAPTER 152-COUNTY JUDGE'S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve, for the composition of the Salary Grievance Committee, that the Court uses the option of having six (6) Elected Officials and three (3) public members.

Commissioner Woolley, Precinct #4 stepped out of the Meeting at 10:14 A.M. and returned to the Meeting at 10:16 A.M.

County Judge, Roger Harmon repeated the discussion and the motion for Commissioner Woolley, Precinct #4.

Commissioner Stringer withdrew his motion.

Commissioner Howell withdrew his second.

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Composition, Drawing and Appointment of a Salary Grievance Committee Pursuant to the Local Government Code, Chapter 152; which will consist of the County Sheriff, Tax Assessor-Collector, Treasurer, County Clerk, District Clerk, County Attorney and three (3) public members. The three (3) public members and nine (9) alternates for the Salary Grievance Committee drawn by County Judge, Roger Harmon are as follows: William Wiist, Cleburne, TX; Kelly Nelson, Burleson, TX; Ronnie Crecelius, Rio Vista, TX; Cameron Crew, Joshua, TX; Ame Lee Von Tungelin, Cleburne, TX; Russell Weaver, Cleburne, TX; Henry Nance, Cleburne, TX; Billy Simms, Burleson, TX; Kerri Cisneros, Joshua, TX; Angela Reynolds, Cleburne, TX; James Thompson, Burleson, TX; and Wesley Nickodam, Burleson, TX. -County Judge's Office

All voted aye; motion carried.



13. CONSIDERATION OF QUARTERLY REQUEST FOR COUNTY REIMBURSEMENT OF JUROR PAYMENTS-DISTRICT CLERK'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Quarterly Request for County Reimbursement of Juror Payments and to give the County Judge, Roger Harmon the authorization to sign-District Clerk's Office.

All voted aye; motion carried.

**IX. CONSENT AGENDA**

Comm. Stringer, seconded by Comm. Howell, made a motion to approve all items on the Consent Agenda.

All voted aye; motion carried.

The Commissioners Court recessed at 10:23 A.M. and reconvened at 10:43 A.M. to consider the following:

The Commissioner Court convened into Workshop Session at 10:43 A.M. to discuss the 2020 Plan Year Renewal with Texas Association of Counties Health and Employee Benefits Pool.

The Commissioners reconvened into Regular Session at 11:19 A.M. to consider the following:

**BE IT KNOWN** that the Commissioners Court met in Executive Session at 11:19 A.M. in accordance with Government Code: a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation: (1) Cause No. DC-C201800848, Johnson County v. Purdue Pharma, L.P. et al; and b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation: (1) Insys Therapeutics, Inc. (and IC Operations, LLC; Insys Development Company, Inc.; Insys Manufacturing, LLC; Insys Pharma, Inc.; IPSC, LLC; and IPT 355, LLC); Insys Therapeutics et al Bankruptcy Filing.

The Commissioners Court reconvened into Regular Session at 12:03 P.M. to consider the following:

## **XI. EXECUTIVE SESSION**

### **1. Government Code:**

#### **a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation:**

- (1) Cause No. DC-C201800848, Johnson County v. Purdue Pharma, L.P. et al;

No Action.

#### **b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation:**

- (1) Insys Therapeutics, Inc. (and IC Operations, LLC; Insys Development Company, Inc.; Insys Manufacturing, LLC; Insys Pharma, Inc.; IPSC, LLC; and IPT 355, LLC); Insys Therapeutics et al Bankruptcy Filing

Comm. Bailey, seconded by Comm. Howell, made a motion that the Commissioners Court authorize the attorneys representing Johnson County to move forward with the opioids claims against Insys Therapeutics, Insys Manufacturing, the other Insys entities, and their liability insurers' et al Bankruptcy Court and otherwise and previously authorized by the Court in pursuit of opioid claims.

All voted aye; motion carried.

## **VIII. NEW BUSINESS**

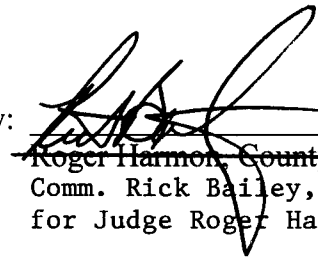
### **6. CONSIDERATION OF 2020 PLAN YEAR RENEWAL WITH TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL-PERSONNEL DEPARTMENT**

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the 2020 Plan Year Renewal with Texas Association of Counties Health and Employee Benefits Pool with no changes to the plan and to give the Personnel Director, Randy Gillespie and the County Judge, Roger Harmon the authorization to sign-Personnel Department.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 12:08 P.M.

Approved by:

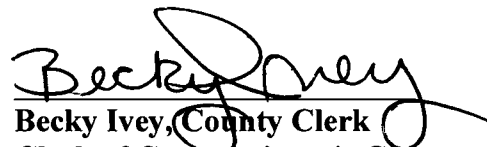
  
~~Roger Harmon, County Judge~~  
Comm. Rick Bailey, Pct #1  
for Judge Roger Harmon

STATE OF TEXAS §  
COUNTY OF JOHNSON §

I, Becky Ivey, Johnson County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for July 8, 2019.



FILED & RECORDED  
July 22, 2019  
Commissioner Court Minutes

  
Becky Ivey, County Clerk  
Clerk of Commissioner's Court  
Johnson County, Texas